Notifications accompanying Government Resolution No. 7437, dated the 9th October 1902.

(I)

Notification* of the Government of India in the Foreign Department, No. 4049-I.A., dated the 18th September 1902.

With reference to sections 90, 229, 229-A, 229-B and 650-A of the Code of Civil Procedure (Act XIV of 1882), and in supersession of the Notification of the Government of India in the Foreign Department, No. 2179-I., dated the 2nd July 1890, as subsequently supplemented by the like notification No. 4110-I., dated the 8th October 1891, the Governor-General in Council is pleased to notify that the following Courts in the territories of Native Chiefs under the Political control of the Government of Bombay are Courts established or continued by the Governor-General in Council in the territories of Foreign Princes and States, namely :—

Cutch.

Court of the Political Agent, Cutch.

Pálanpur.

Court of the Political Superintendent, Pálanpur.
" Assistant Political Superintendent, Pálanpur.
" Huzur Deputy Assistant Political Superintendent, Pálanpur.
" District " " " "
" Thánadar of the Tharád Jamya villages.
" " of Váv.
" " of Sántalpur.
" " of Varáhi.
" " of Diodár.
" " of Kánkrej.

Mahi Kántha.

Court of the Political Agent, Mahi Kántha.
" Assistant Political Agent, Mahi Kántha.
" Native Assistant to the Political Agent, Mahi Kántha.
" Personal Assistant to the Political Agent, Mahi Kántha.
" Thanadar, Vatrák Kántha.
" " of the Bávisi Zilla.
" " of Sábar Kántha.
" " of Kátosan.
" " of Ghadváda.
" Aval-karkún at Mahisa.

Káthiáwár.

Court of the Political Agent, Káthiáwár.
" Assistant Political Agent, Jhálávád Pránt.
" " " Soráth Pránt.
" " " Hálár Pránt.
" " " Gohelvád Pránt.

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* Published at pages 688-89 of Part I of the *Gazette of India* of the 20th September 1902, and re-published at pages 1635-36 of Part I of the *Bombay Government Gazette* of the 25th idem.

Court of the Deputy Assistant Political Agent, Jhálávád Pránt.
" " " " Soráth Pránt.
" " " " Hálár.
" " " " Gohelvád.
Court of Small Causes, Rájkot Civil Station.
Court of the Wadhwán District Thanadar.
" Chotila Thanadar.
" Dasáda "
" Bhika "
" Páliyad "
" Vithalgad "
" Bagásra "
" Lákhapádar "
" Lodhika "
" Dhrápha "
" Babra "
" Songad "
" Chamárdi "
" Dathá "
" Chok "
" Dedan "
" Jhinjhuváda "
" Deputy Thanadar, Mulila.

Rewa Kántha.

Court of the Political Agent, Rewa Kántha.
" Assistant Political Agent, Rewa Kántha.
" Deputy Assistant Political Agent, Rewa Kántha.
" Thanadar of Sankheda.
" " Pándu.
" " Jambughoda.

Kolhápur and Southern Marátha Country.

Court of the Political Agent, Kolhápur and Southern Marátha Country.
" Assistant Political Agent, Kolhápur.

Sávantvádi.

Court of the Political Agent, Sávantvádi.

(2)

Notification* of the Government of India in the Foreign Department, No. 1360-I., dated the 29th March 1889.

In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to direct that a summons issued by any Civil or Revenue Court in British India for service within the local limits of the jurisdiction of a Court established or continued by the authority of the Governor-General in Council in the territories of any Foreign Prince or State, shall, if sent to that Court, be served by that Court within those limits in manner provided by the Code of Civil Procedure, and after being so served, be returned with such an endorsement under the hand of the Judge of the Court as is mentioned in section 90 of that Code.

* Published at page 186 of Part I of the *Gazette of India* for 1889, and re-published at page 254 of Part I of the *Bombay Government Gazette* of the 4th April 1889.

(3)

Notification* of the Government of India in the Foreign Department, No. 4050-I.-A., dated the 18th September 1902.

In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879) and of all other powers enabling him in this behalf, the Governor-General in Council is pleased, in supersession of the Notification of the Government of India in the Foreign Department, No. 2180-I, dated the 2nd July 1890, as subsequenly supplemented by the like notification No. 4111-I., dated the 8th October 1891, to declare section 229-A of the Code of Civil Procedure to apply to the under-mentioned Courts, and to notify that a decree of any Court situate in British India which cannot be executed within the jurisdiction of the Court by which it was made may, if sent for execution to a Court specified in the schedule, be executed by that Court to the same extent and in the same manner as that Court might execute within the limits of its jurisdiction a decree made by itself.

Cutch.

Court of the Political Agent, Cutch.

Pálanpur.

Court of the Political Superintendent, Pálanpur.
" Assistant Political Superintendent, Pálanpur.
" Huzur Deputy Assistant Political Superintendent, Pálanpur.
" District " " " " "

Mahi Kántha.

Court of the Political Agent, Mahi Kántha.
" Assistant Political Agent, Mahi Kántha.
" Native Assistant to the Political Agent, Mahi Kántha.
" Personal " " " "

Káthiáwár.

Court of the Political Agent, Káthiáwár.
" Assistant Political Agent, Jhálávád Pránt.
" Deputy Assistant Political Agent, Jhálávád Pránt.
" Assistant Political Agent, Soráth Pránt.
" Deputy Assistant Political Agent, Soráth Pránt.
" Assistant Political Agent, Hálár Pránt.
" Deputy Assistant Political Agent, Hálár Pránt.
" Assistant Political Agent, Gohelvád Pránt.
" Deputy Assistant Political Agent, Gohelvád Pránt.

Rewa Kántha.

Court of the Political Agent, Rewa Kántha.
" Assistant Political Agent, Rewa Kántha.
" Deputy Assistant Political Agent, Rewa Kántha.

Kolhápur and Southern Marátha Country.

Court of the Political Agent, Kolhápur and Southern Marátha Country.
" Assistant Political Agent, Kolhápur.

Sávantvádi.

Court of the Political Agent, Sávantvadi.

* Published at pages 689-90 of Part I of the *Gazette of India* of the 20th September 1902, and re-published at page 1636 of Part I of the *Bombay Government Gazette* of the 25th idem.

(4)

Notification* of the Government of India in the Foreign Department, No. 1367-I., dated the 29th March 1889.

In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to direct that a summons issued by any Court established or continued by the authority of the Governor-General in Council in the territories of any Foreign Prince or State for service within the local limits of the jurisdiction of any other such Court, shall, if sent to the other Court, be served by that Court within those limits in manner provided by the Code of Civil Procedure and after being so served, be returned with such an endorsement under the hand of the Judge of the Court as is mentioned in section 90 of that Code.

(5)

Notification* of the Government of India in the Foreign Department, No. 1363-I., dated the 29th March 1889.

In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to notify that a decree of any Court established or continued by the authority of the Governor-General in Council in the territories of any Foreign Prince or State which cannot be executed within the jurisdiction of the Court by which it was made may, if sent for execution to any other such Court, be executed by the other Court, to the same extent and in the same manner as that Court might execute within the limits of its jurisdiction a decree made by itself.

(6)

Notification† of the Government of India in the Foreign Department, No. 2182-I., dated the 2nd July 1890.

In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 and of all other powers enabling him in this behalf, the Governor-General in Council is pleased in continuation of Foreign Department Notification No. 1368-I., dated 29th March 1889, to direct that a summons issued by any Civil or Revenue Court in a Native State, situate within the political control of the Government of Bombay, and not established or continued by the authority of the Governor-General in Council shall, if sent to any Court so established or continued in the territories of any Foreign Prince or State, be served by that Court as if the summons had been issued by itself, and after being so served, be returned with an endorsement of such service under the hand of the Judge of the Court.

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* Published at page 186 of Part I of the *Gazette of India* for 1889, and re-published at page 254 of Part I of the *Bombay Government Gazette* of the 4th April 1889.

† Published at page 486 of Part I of the *Gazette of India* for 1890, and re-published at page 634 of Part I of the *Bombay Government Gazette* of the 10th idem.

(7)

Notification* of the Government of India in the Foreign Department, No. 4051-I.A., dated the 18th September 1902.

In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879) and of all other powers enabling him in this behalf, and in supersession of the Notification of the Government of India in the Foreign Department, No. 2183-I., dated the 2nd July 1890, as subsequently amended and supplemented by the like Notifications No. 2594-I., dated the 6th August 1890, and No. 3631-I.A., dated the 24th September 1897, the Governor-General in Council is pleased to notify that, pending further orders, a decree of any of the under-mentioned Courts situate in Native States, within the Political control of the Government of Bombay and not established or continued by the authority of the Governor-General in Council, may, if sent for execution to a Court established or continued by the authority of the Governor-General in Council in the territories of any Foreign Prince or State, be executed by the Court to the same extent and in the same manner as that Court might execute within the limits of its jurisdiction a decree made by itself.

Mahi Kántha.

Court of the Japtidar of Pethápur.

Rewa Kántha.

Huzur Court of Rájpipla.
Court of the Sar Nyayadhish of Rájpipla.
„ Subordinate Judge of Bhalod.

Sachin (Surat).

Court of the Administrator of Sachin.
„ Divan of Sachin.

Janjira (Kolába).

Court of the Sar Nyayadhish of Janjira.

Kolhápur.

Court of His Highness the Maharaja of Kolhápur.
Combined Court of the Political Agent, Kolhápur and Southern Marátha Country, and His Highness the Maharaja of Kolhápur.
Court of the Chief Judge of Kolhápur.
„ Sadar Amin of Kolhápur.
„ Munsiff of Shirol.
„ Gad Hinglaj.
„ Joint Officer at Katkol.
„ Chief of Vishálgad.
„ Munsiff of Vishálgad.
„ Chief of Ichalkaranji.
„ Munsiff of Ichalkaranji.
„ „ of Ajra.
„ Chief of Bávda.
„ Munsiff of Bávda.
„ Chief of Kágal (Junior).
„ Munsiff of Kágal (Junior).
„ Chief of Kápshi.
„ Munsiff of Kápshi.

*. Published at pages 690-91 of Part I of the *Gazette of India* of the 20th September 1902, and re-published at page 1637 of Part I of the *Bombay Government Gazette* of the 25th idem.

Southern Marátha Country.

Court of the Administrator of Mudhol.
„ Nyayadhish of Mudhol.
„ Administrator of Miraj (Junior) ... } Courts of Miraj (Junior).
„ Munsiff of Kawtha ... ... }
„ „ Gadgiri ... ... }
„ „ Kuroli ... ... }

Akalkot (Sholápur).

Court of the Political Agent, Sholápur.
„ Subordinate Judge of Akalkot.
Subordinate Court of Pilio.
„ „ Kurla.

Sávantvádi.

Court of the Political Agent, Sávantvádi.
„ Chief Judge, Sávantvádi.
„ Nyayadhish of Sávantvádi.
„ Munsiff of Kudál.
„ Small Causes, Vádi.

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(8)

Notification* of the Government of India in the Foreign Department, No. 4053-I.A., dated the 18th September 1902.

In exercise of the power conferred by section 650-A of the Code of Civil Procedure (Act XIV of 1882) and in supersession of the Notifications of the Government of India in the Foreign Department, No. 868-I., dated the 13th March 1885, as subsequently amended and supplemented by the like Notifications* quoted in the margin, the Governor-General in Council is pleased to declare the provisions of that section to apply to those of the under-mentioned Civil Courts, situate beyond the limits of British India, which have not been established by the authority of the Governor-General in Council.

* No. 1727-I., dated 29th May 1885.
„ 2266-I., dated 10th July 1885.
„ 2361-I., dated 17th July 1885.
„ 3289-I.A., dated 23rd October 1896.
„ 3632-I.A., dated 24th September 1897.
„ 4313-I.A., dated 22nd November 1897.
„ 2664-I.A., dated 12th July 1901.

Khairpur.

Court of His Highness the Mir of Khairpur.
Court of the Vazir of His Highness the Mir of Khairpur.
„ Mukhtyarkars of Khairpur, Gambat, Mirwah, Nara and the Nazam Adalat.
„ Head Munshis of Khairpur, Gambat, Mirwah and Nara.

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* Published at pages 693—96 of Part I of the *Gazette of India* of the 20th September 1902, and re-published at pages 1639—42 of Part I of the *Bombay Government Gazette* of the 25th idem.

Káthiáwár.

FIRST CLASS STATES.

(1.—*Junágadh State.*)

Huzur Adalat, Junágadh.
Sadar „ „
Adalat of the Assistant Judge, Junágadh.
Court of the First Class Civil Munsiff, Junágadh.
„ Small Causes, Junágadh.
„ Zilla Judge of Bábriávád at Bherái.
„ First Class Civil Munsiff, Nágeshri, Bábriávád.
„ „ „ „ Una.
„ „ „ „ Pátan.
„ „ „ „ Verával.
„ „ „ „ Mália.
„ „ „ „ Visáwadar.
„ „ „ „ Bhesan.
„ „ „ „ Kutania.
„ „ „ „ Sil.
„ Second Class Munsiff, Nawágadh.
„ „ „ „ Sásan.
„ „ „ „ Sunváv.
Court for Small Causes, Chorwád.

(2.—*Navánagar State.*)

Chief Judicial Court, Navánagar.
Senior Nyayadhish's Court, „
Junior „ „
City Munsiff's Court, „
Small Cause Court, Padadhári.
Munsiff's Court, Khambhália.
„ Bhánvad.
„ Jodia.
„ Kandorna.
„ Lálpur.
„ Atkot.
„ Káláwád.
„ Kalyánpur.
„ Amron.

(3.—*Bhávnagar State.*)

Huzur Court, Bhávnagar.
Sar Nyayadhish's Court, Bhávnagar.
Joint Sar Nyayadhish's Court, Bhávnagar.
Nyayadhish's Court, Bhávnagar.
„ Mahuva.
„ Kundla.
„ Talája.
„ Lilia.
„ Botád.
„ Umrála.
„ Gadhada.
„ Sihor.

(4.—*Porbandar State.*)

Munsiff's Court, Porbandar.
Sar Nyayadhish's Court, Porbandar.
Huzur Court, Porbandar.

(5.—*Dhrángadhra State.*)

Huzur Court, Dhrángadhra.
Sar Nyayadhish's Court, Dhrángadhra.
Nyayadhish's Court, „
„ Halwad.
Thanadar's Court, Shitha.
„ Umarda.

(6.—*Morvi State.*)

Huzur Court, Morvi.
Mukhya Divan's Court, Morvi.
Sar Nyayadhish's Court, Morvi.
Divani Nyayadhish's Court, Morvi.
Mahalkari's Court, Tankára.
Thanadar's Court, „
„ Jetpur.
„ Vavánia.

(7.—*Gondal State.*)

Huzur Court, Gondal.
Sar Nyayadhish's Court, Gondal.
Munsiff's Court, Gondal.
„ „ Dhoráji.
Thanadar's Court, Gondal.
„ „ Dhoráji.
Nyay adhish's Court, Sarsái.

SECOND CLASS STATES.

(1.—*Vánkáner State.*)

Huzur Court, Vánkáner.
Sar Nyayadhish 's Court, Vánkáner.
Nyayadhish's Court, Vánkáner.

(2.—*Pálitána State.*)

Huzur Court, Pálitána.
Sar Nyayadhish's Court. Pálitána.
Diwani Nyayadish's Court, Palitána.

(3.—*Dhrol State.*)

Huzur Court, Dhrol.
Small Cause Court, Dhrol.
Karbhari's Court, „
Nyayadhish's Court, „
„ Sarapdar.

(4.—*Limbdi State.*)

Munsiff's Court, Limbdi.
Judicial Karbhari's Court, Limbdi.
Huzur Court, Limbdi.

(5.—*Rájkot State.*)

Government Manager's Court, Rájkot.
Diwani Nyayadhish's Court, Rájkot.
Small Cause Court, Rájkot.
Thanadar's Court, Sardhár.

(6.—*Wadhwán State.*)

Nyayadhish's Court.
Sar Nyayadhish's Court.
Huzur Court.

(7.—*Jáfrábád State.*)

Madatnis Kamgar's Court.
Mamlatdar's Court.

Mahi Kántha.

Court of the Japtidar of Pethapur.

Rewa Kántha.

Huzur Court of Rájpipla.
Court of the Sar Nyayadhish of Rájpipla.

Sachin (Surat).

Court of the Administrator, Sachin.
" Divan of Sachin.

Janjira (Kolába).

Court of the Sar Nyayadhish of Janjira.

Kolhápur.

Court of His Highness the Maharaja of Kolhápur.
Combined Court of the Political Agent, Kolhápur and Southern Marátha Country, and His Highness the Maharaja of Kolhápur.
Court of the Chief Judge, Kolhápur.
" Sadar Amin, Kolhápur.
" Munsiff of Shirol.
" " of Gad Hinglaj.
" Joint Officer at Kátkol.
" Chief of Kágal.
" Munsiff of Kágal.
" Chief of Bávda.
" Munsiff of Bávda.
" Chief of Ichalkaranji.
" Munsiff of Ichalkaranji.
" " of Ajra.
" Chief of Vishálgadh.
" Munsiff of Vishálgádh of Miraj.

Southern Marátha Country.

Court of the Nyayadhish of Miraj.
" Munsiff of Lakshmeshvar. } Miraj State (Senior).
" " Modnimb. }

Court of the Administrator.
" Munsiff of Kawtha.
" " Gadgiri.
" " Kuroli.
} Miraj State (Junior).

Huzur Court.
Court of the Nyayadhish.
" Munsiff of Miraj Prant.
" " Mangalveda, Kuchi and Terdal or Northern Division.
" " Shahapur and Shirhatti or Southern Division.
" Wahiwatdar of the Sub-Saranjam of Mhysal.
} Sángli State.

Akalkot (Sholápur).

Court of the Political Agent, Sholápur.
" Subordinate Judge of Akalkot.
Subordinate Court of Pilio.
" " Kurla.

Sávantvádi.

Court of the Political Agent, Sávantvádi.
" Chief Judge of Sávantvádi.
" Nyayadhish of Sávantvádi.
" Munsiff of Kudál.
" Small Causes of Vádi.

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(9)

Notification* of the Government of India in the Foreign Department, No. 4052-I.A., dated the 18th September 1902.

In exercise of the powers conferred by section 229-B of the Code of Civil Procedure (XIV of 1882) and in supersession of the Notification of the Government of India in the Foreign Department, No. 687-I., dated 13th March 1885, as subsequently amended and supplemented by the like notifications* quoted in the margin, the Governor-General in Council is pleased to declare that the decrees of those of the undermentioned Civil Courts situate in the territories of Native Princes or States in alliance with His Majesty which have not been established by the authority of the Governor-General in Council, may be executed in British India as if they had been made by the Courts of British India.

* No. 1726-I., dated 29th May 1885.
" 2265-I., dated 10th July 1885.
" 2360-I., dated 17th July 1885.
" 2591-I., dated 7th August 1885.
" 3490-I., dated 15th October 1885.
" 1688-I., dated 20th May 1890.
" 3633-I.A., dated 24th September 1897.
" 4312-I.A., dated 22nd November 1897.

Mahi Kántha.

Court of the Japtidar of Pethápur.

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* Published at pages 691-92 of Part I of the *Gazette of India* of the 20th September 1902, and re-published at pages 1638-39 of Part I of the *Bombay Government Gazette* of the 25th idem.

Rewa Kántha.

Huzur Court of Rájpipla.
Court of the Sar Nyayadhish of Rájpipla.

Sachin (Surat).

Court of the Administrator, Sachin.
" Divan of Sachin.

Janjira (Kolába).

Court of the Sar Nyayadhish of Janjira.

Kolhápur.

Court of His Highness the Maharaja of Kolhápur.
Combined Court of the Political Agent, Kolhápur and Southern Marátha Country, and His Highness the Maharaja of Kolhápur.
Court of the Chief Judge, Kolhápur.
" Sadar Amin, Kolhápur.
" Munsiff of Shirol.
" " Gad Hingláj.
" Joint Officer at Katkol.
" Chief of Kágal. } (Junior).
" Munsiff of Kágal. }
" Chief of Bávda.
" Munsiff of Bávda.
" Chief of Ichalkaranji.
" Munsiff of Ichalkaranji.
" Munsiff of Ajra.
" Chief of Vishálgadh.
" Munsiff of Vishálgadh.

Southern Marátha Country.

Court of the Nyayadhish of Miraj (Senior).
" Administrator of Miraj (Junior). } Miraj State (Junior).
" Munsiff of Kawtha. }
" " Gadgiri. }
" " Kuroli. }
" Wahiwatdar of the Sub-Saranjam of Mhysal.

Akalkot (Sholápur).

Court of the Political Agent, Sholápur.
" Subordinate Judge of Akalkot.
Subordinate Court of Pilio.
" " Kurla.

Khándesh Agency.

Court of the Political Agent, Khándesh.
" Assistant Political Agent for the Mewas States.
" " " " Dángs.

Sávantvádi.

Court of the Political Agent, Sávantvádi.
" Chief Judge, Sávantvádi.
" Nyayadhish of Sávantvádi.
" Munsiff of Kudál.
" Small Causes of Vádi.

Sávanur (Dhárwár).

Court of the Political Agent, Dhárwár.

Reciprocity

The conveyance and maintenance charges of accused persons and of cattle in extradition cases arising between the Baroda State and British Districts or Native States in the Bombay Presidency are to be borne by the authority making the surrender.

Letter No. 3801, dated the 10th March 1903.

From—Lieut.-Colonel M. J. MEADE, C.I.E.,
Resident at Baroda;

To—The Honourable Mr. S. W. EDGERLEY, C.I.E., I.C.S.,
Acting Chief Secretary to Government, Political Department, Bombay.

I have the honour to state that the Honourable the Resident at Hyderabad proposed in June last that subsistence and transit charges of accused persons and cattle concerned in extradition cases arising between the Baroda and Hyderabad States should be borne by the State making the surrender, as the Government of India were of opinion that petty claims of this nature might be waived by the surrendering jurisdiction.

2. Finding that a principle different from that laid down in the Government Resolutions* noted in the margin had been enunciated by the Government of India, they were addressed† on the subject, and have in reply furnished me with a copy of the more recent orders‡ passed by the Government of Bombay.

* No. 4034, dated 3rd July 1894.
No. 7490, dated 30th November 1894.
† No. 11859, dated 28th June 1902, copy enclosed.
‡ No. 489, dated 22nd January 1897.

3. The Hyderabad authorities having expressed a desire to enter into an arrangement in this regard with the Baroda Darbar, I addressed them on the subject. A copy of their reply§ is enclosed for the information of Government. It will be seen that the Darbar plead their inability to fall in with the proposal of Hyderabad until the practice now in force in relation to Baroda on the one hand and British Districts and Native States under the Government of Bombay on the other is altered in conformity with the Hyderabad arrangement.

§ No. 4879, dated 11th December 1902.

4. A reference to the correspondence‖ which preceded the issue of Government orders in 1894 will show that this office had all along been in favour of the practice which both the Government of India and the Government of Bombay have approved of with respect to Hyderabad. The reasons which induced the two Governments to sanction the Hyderabad proposal apply with equal, if not more, force to Baroda, and it seems that there are now no good grounds for treating the latter differently in a matter of the kind under advertence.

‖ From this office to Government, No. 10395, dated 25th September 1894, paragraph 4.
From Colonel Biddulph to the Honourable Mr. G. W. Vidal, demi-official dated 31st October 1894.

5. The inconvenience and trouble arising from the present system have been correctly described by the Baroda Darbar, and with the experience of the past eight years I am able to endorse the views expressed by them.

6. Under the circumstances, before returning a definite reply to the Resident at Hyderabad, I shall be obliged by being informed whether His Excellency the Governor in Council is disposed to issue orders similar to those which he has laid down, in the matter of the recovery of conveyance and maintenance charges of accused persons, and of cattle, in extradition cases as between the Hyderabad State and Districts in the Bombay Presidency, for the Baroda State and its neighbours under His Excellency's Government.

Letter No. 11859, dated the 28th June 1902.

To—Captain H. G. CARNEGY,
First Assistant Resident in charge Baroda Residency;

To—The Secretary to the Government of India, Foreign Department.

I have the honour to invite attention to a letter noted in the margin, copy enclosed, which I have received from the First Assistant to the Resident at Hyderabad. It seems that the Government of India are generally

No. 3412-J., dated 20th June 1902.

of opinion that claims on account of surrendering charges in extradition cases should be waived by surrendering parties in India, and that the Resident at Hyderabad presumably desires that an arrangement in accordance therewith may be introduced in respect of demands for extradition of offenders as between the Nizam and Baroda Governments.

2. An exactly similar arrangement* was brought into force in this part of India by the Government of Bombay in 1877, at the instance of Mr. P. S. Melville, C.S.I., a late Agent to the Governor-General at Baroda; but in the year 1894 that Government altered this very convenient and satisfactory practice and substituted it by one which enjoined the recovery of surrendering charges from the jurisdiction demanding extradition—a diametrically opposite system. I beg to submit copies of the papers† bearing on the subject, from which it will be seen that the Government of India, at the time, saw no reason to take exception to the action of the Bombay Government.

*No. 1030, dated 19th February 1877, copy enclosed.
„ 657 „ 8th „ „ „

† Extract paragraph 3 of a letter from the Foreign Department, No. 2683-I., dated 9th August 1894.
Bombay Government Resolution No. 4034, dated 3rd July 1894.
Extract paragraphs 3 and 4 of this office letter No. 10395, dated 25th September 1894.
Extract paragraph 2 of Bombay Government Resolution No. 7490, dated 30th November 1894.

3. So far as this office is concerned, the present system entails trouble incommensurate with the interests or the principle involved, and has increased correspondence by over one thousand five hundred letters every year, and the system now proposed to be adopted between Hyderabad and British districts will avoid needless correspondence and, from a financial point of view, will make no material difference.

4. So long, however, as the orders of the Bombay Government alluded to above remain unaltered, I feel unable to address the Baroda Government on the subject of the communication from the Hyderabad Residency; and I propose informing the Honourable Colonel Barr accordingly, should the Government of India see no objection.

5. If I am permitted to express an opinion, I should say that in a matter of the kind under advertence, which is of general application and of almost every day occurrence in all parts of India, there ought to be uniformity of procedure in all jurisdictions.

Letter No. 4879, dated the 11th December 1902.

From—R. V. Dhamnaskar, Esq.,
Divan of Baroda;

To—Lieut.-Colonel M. J. Meade, C.I.E.,
Resident at Baroda.

With reference to your office letter No. 14871, dated the 7th August last, and subsequent reminder, I have the honour to observe that the proposal of His Highness the Nizam's Government concerning surrendering charges in connection with extradition cases is opposed to the practice at present prevailing in this State. Its acceptance would, therefore, cause a breach of uniformity in that practice so far as Hyderabad is concerned. This would be inconvenient as well as undesirable. If, however, the proposal of Hyderabad should be accepted by all other States and by British authorities in their relations with this State, His Highness' Government have no objection to adopt it as a general practice in all cases of extradition of offenders.

2. Prior to 1894, the practice of this State in regard to Gujarát and British territory generally was that the surrendering State defrayed all the expenses of feeding and conveying the accused as also of feeding any animals surrendered with him. In regard to extradition cases arising between Baroda and the Káthiáwár State, the practice varied from time to time, and between State and State. In 1894 the Bombay Government considered the question of conveyance and maintenance charges (*vide* your office letter No. 13564, dated 17th December 1894), and having discovered a considerable divergence in the practice in such matters thought it advisable to introduce a uniform procedure, and gave their preference to the procedure at present in vogue in spite of the difficulties that were anticipated in its working. They desired a fair trial to be given to the rules they recommended, and in 1896 gave them their final approval (*vide* your office letter No. 11861, dated the 12th September 1896).

3. It will thus appear that the existing procedure has had a trial for eight years, so far as this State is concerned, and it cannot be said on the strength of such trial that its

working has been at all satisfactory inasmuch as it has involved considerable trouble in the way of checking and sanctioning bills, &c. Taking an average of the last five years, the number of bills received every year and examined by our Extradition Department is 143 and those prepared and tendered by that Department amounted to 153 per annum. In addition to this there is the correspondence relating to bills that are disputed. All this involves considerable cost in establishment as well as trouble, and in the result the payments made generally balance the payments received, leaving no corresponding advantage for the expense and labour involved in checking and scrutinising bills, &c Even if in a particular year there were an appreciable difference in the two payments, the difference would never cover the cost of the establishment in connection with the bills.

4. Nor is this the experience of this State alone. The same procedure has had a longer trial in Káthiáwár, where it was formally introduced between the various States in 1874. An attempt to extend it to the Amreli District led to correspondence in the course of which Sir T. Madhav Rao, writing in 1880, pointed out that "the principle most convenient to all was that any State which detained a prisoner, whether in its own interests or those of another, should bear the cost of such detention" and proposed an agreement with the Káthiáwár States providing, *inter alia*, for the surrendering State paying maintenance charges. The Political Agent, Káthiáwár, was, however, averse to make any changes, as the rules had been drawn up after due deliberation and consultation and as they had worked well. Accordingly, Sir T. Madhav Rao agreed provisionally to adopt the Káthiáwár rules of 1874 in extradition cases between this State and Káthiáwár, leaving the question open for re-consideration after trial of the rules for a few years longer.

5. In 1882 your Assistant at Amreli reported that there was great difficulty found in working Rule VI, which run thus: "The cost of maintaining a person whether during imprisonment or in custody (up to one month) till he is sent for by the State demanding his surrender shall be borne by the State which detains him." Then after mentioning cases not provided for by the rule and instances of disputes in connection with bills tendered he says: "there is hardly a case of a demand being made under Rule VI of the Rules referred to without a dispute being raised by one side or other." He then adds, "trouble is also caused to State officials by the necessity of keeping separate accounts of demands for and receipts of diet money. These accounts are scrutinised by the opposite side and form another source of dispute." And "after all this trouble there is practically no advantage gained. At the end of the year the cost to a State is about the same, whether it pays for the keep of persons arrested for extradition or whether it recovers the expenses of the keep from the States concerned." The conclusion he came to was that it would, therefore, be a great relief if the rules for recovering Government expenses were dispensed with as it had been in Gujarat.

6. This letter from Major Jackson, dated 7th October 1882 (forwarded with your office No. 6484, dated 11th July 1884), leaves very little to be said on the subject. Facts and figures are there adduced which bear out the adverse criticism passed on the system, and more recent experience by no means tends to weaken its force.

7. The system thus condemned by experience has indeed certain theoretical advantages which the Bombay Government had in view when they introduced it. They are alluded to in paragraphs 2 and 3 of your office letter No. 13564, dated the 17th December 1894. Without gainsaying, however, the soundness or the simplicity of the principle that "the Court which tries an accused person surrendered to it on its application should pay the cost of conveyance and maintenance charges so incurred," it may be said that the principle contended for by Sir T. Madhav Rao (*vide* paragraph 4 *supra*) is not wanting in simplicity or soundness either in relation to a scheme of mutual co-operation between various States in the discovery and punishment of crime. The Government of Bombay also considered the new practice fairer. But either system is, I submit, fair so long as complete reciprocity is observed. Finally, the practice was preferred as being "in accordance with the general principle followed in dealing with charges for witnesses and for accused persons." This accordance is undeniable. In the case of witnesses, however, no questions such as those relating to period of detention, the person at whose instance the accused was arrested, &c., can arise, and the practical difference in the complexity of the two cases is, therefore, enormous.

8. On the whole it appears that any theoretical advantages in favour of the prevailing practice are more than counterbalanced by the serious practical inconveniences attending its working. I request, therefore, the favour of your using your good offices with the Government of India to secure for the State the same practice generally as Hyderabad has been able to secure for itself with British India, and in the meanwhile of conveying to the Resident at Hyderabad the inability of His Highness' Government to comply with the request of Hyderabad until the practice embodied in its proposal can be secured for this State in relation to all other Native States as well as British India.

Memorandum No. 2421, dated the 2nd April 1903.

From—The Honourable Mr. S. W. Edgerley, C.I.E., I.C.S.,
Acting Chief Secretary to Government, Political Department, Bombay;

To—{The Honourable Mr. F. S. P. Lely, C.S.I., I.C.S.,
Commissioner, N. D.
H. O. Quin, Esq., I.C.S.,
Acting Agent to the Governor, Káthiáwár.

* Copy forwarded for report whether there is any objection to the procedure with the Baroda State in the matter being altered to that prescribed for the Hyderabad State in Government Resolutions No. 489, dated 22nd January 1897, and No. 5333, dated 30th August 1897, and also for report whether the system at present in force causes much correspondence which would be avoided under that desired by the Resident.

* Of the foregoing correspondence.

Letter No. 1461, dated the 23rd May 1903.

From—The Honourable Mr. F. S. P. Lely, C.S.I., I.C.S.,
Commissioner, N. D.;

To—W. T. Morison, Esq., I.C.S.,
Acting Secretary to Government, Political Department, Bombay.

With reference to your endorsement No. 2421, dated the 2nd April, I have the honour to state that there is complete unanimity of opinion among the District Magistrates in this Division concerned that a reversion to the system which obtained prior to 1894 is not only unobjectionable but desirable, and that much correspondence would be avoided.

2. I entirely concur. It is doubtless correct in principle that the State demanding extradition should bear the charges incurred, but the time and trouble involved in effecting recoveries is out of all proportion, and in a series of years there would probably be no great difference in the two sides of the account. On the other hand, under the Hyderabad system, as one District Magistrate remarks, each State will have a motive which does not now exist for keeping down expenses and getting prisoners transferred with the least loss of time.

Letter No. 569, dated the 30th July 1903.

From—H. O. Quin, Esq., I.C.S.,
Acting Agent to the Governor, Káthiáwár;

To—The Honourable Mr. S. W. Edgerley, C.I.E., I.C.S.,
Secretary to Government, Political Department, Bombay.

With reference to your endorsement No. 2421, dated the 2nd April last, and subsequent reminders, I have the honour to state that the States which were consulted consider the question an important one and desire to have it settled at the next meeting of the Karbharis, which will probably be held in September next. I agree with this proposal and will submit a further report after the matter is discussed in the meeting.

Letter No. 5519, dated the 17th August 1903.

From—The Honourable Mr. S. W. Edgerley, C.I.E., I.C.S.,
Secretary to Government, Political Department, Bombay;

To—H. O. Quin, Esq., I.C.S.,
Acting Agent to the Governor, Káthiáwár.

With reference to the correspondence ending with your letter No. 569, dated the 30th July 1903, regarding the proposal of the Baroda Darbar that the conveyance and

maintenance charges of accused persons and of cattle concerned in extradition cases should be borne by the State which makes the surrender, I am directed to forward herewith, for your information, copy of a letter on this subject from the Commissioner, N. D., No. 1461, dated the 23rd May 1903. I am at the same time to state that an arrangement similar to that proposed by the Baroda Darbar is in force as regards His Highness the Nizam's State, and has also been sanctioned by Government in connection with the Bháwalpur and Kálat States.

Letter No. 831, dated the 31st October 1903.

From—H. O. QUIN, Esq., I.C.S.,
Acting Agent to the Governor, Káthiáwár;

To—The Honourable Mr. S. W. EDGERLEY, C.I.E., I.C.S.,
Chief Secretary to Government, Political Department, Bombay.

With reference to Government letter No. 5519, dated the 17th August 1903, regarding the proposal of the Baroda Darbar that the conveyance and maintenance charges of accused persons and of cattle concerned in extradition cases should be borne by the State which makes the surrender, I have the honour to report that the matter was placed before the last Karbharis' meeting held on 17th instant, but the States are not in favour of the proposed change.

No. 7810.

POLITICAL DEPARTMENT.

Bombay Castle, 20th November 1903.

RESOLUTION.—In modification of the orders contained in Government Resolutions Nos. 4034 and 7490, dated respectively the 3rd July and 30th November 1894, and Government Resolution No. 5455, dated the 7th September 1896, the Governor in Council is pleased to accept the proposal that in cases of extradition between the Baroda State and British Districts of the Bombay Presidency the conveyance and maintenance charges of accused persons and of cattle should be borne by the authorities making the surrender. The same procedure will be followed in Thana Circles and Managed States and will no doubt be adopted by Native States in this Presidency. The Agent to the Governor, Káthiáwár, should inform the Káthiáwár States of this decision and will of course render no assistance in the recovery of charges by States surrendering prisoners in the future should any such be preferred.

S. W. EDGERLEY,
Chief Secretary to Government.

To
The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Judicial Commissioner in Sind,
All Political Agents,
All District Magistrates,
The Chief Presidency Magistrate, Bombay,
The Inspector-General of Police, Bombay Presidency,
The Commissioner of Police, Bombay,
The Accountant General, Bombay,
The Judicial Department of the Secretariat,
The Public Works Department of the Secretariat (Railway),
The Resident at Baroda (by letter).

No 8469 of 1903

Lahaur 18th December 1903

Copy forwarded for information to the Diwan of Savanur

H. Lambert
Resident.
18/12/1903

J. H. [illegible]

Processes.

Sent for service to a district the language of which is different from that of the Court issuing them — to be accompanied by English translation.

No. 5301 of 1888.

JUDICIAL DEPARTMENT.

Bombay Castle, 26th September, 1888.

Letter from the Commissioner, C. D., No. P.-883, dated 4th June, 1888—States that he understands that the District Magistrates in his Division are more or less put to inconvenience in consequence of their receiving for service summonses from other parts of India, written in Urdu and accompanied only by a mere formal request that they may be served; that as a necessary consequence, the District Magistrates have to return the summonses for translation into English, and this procedure causes considerable delay before they are actually served on the parties concerned. Requests that, in order to obviate the inconvenience, the Government of India may be moved to lay down a rule that all processes sent for service from Administrative officers or Courts to any District, the vernacular of which is different from that in which the instrument is written, should invariably be accompanied by a translation in English of their contents.

Letter from the Secretary to the Government of India, Home Department, Judicial, No. 1281, dated 6th August, 1888—States, in reply to Government letter No. 3350, dated the 28th June last, that the suggestion made by the Commissioner, C. D., Bombay Presidency, is approved of by the Governor General in Council, and the Local Governments and Administrations and the High Court at Calcutta will be requested to issue the necessary orders for giving effect to it.

RESOLUTION.—The rule framed by the High Court, confirmed by this Government, sanctioned by the Government of India, and published in the *Bombay Government Gazette*, as Notification, Judicial Department, No. 5149, dated 18th September, 1888, is all that is required to give effect to the suggestion approved by the Government of India.

2. The Sadar Court in Sind should be requested to frame a similar rule for Sind, and the Chief Judge, Bombay Court of Small Causes, should be asked to do the same for his Court.

3. The Political Department should also be asked to give the necessary instructions for Courts in provinces subject to political supervision.

(Signed) J. J. HEATON,
Acting Under Secretary to Government.

To

The Registrar of Her Majesty's High Court of Judicature, Appellate Side (by letter),
The Registrar and Prothonotary, Her Majesty's High Court, Original Side (by letter),
The Commissioner in Sind,
The Commissioner, C. D.,
The Commissioner, N. D.,
The Commissioner, S. D.,
The Judge of the Sadar Court in Sind,
The Chief Judge of the Court of Small Causes, Bombay,
The District Judges,
The District Magistrates,
The Political Department.

No. of 1888.

Copy forwarded for information and guidance to

No. 6813.

POLITICAL DEPARTMENT.

Bombay Castle, 12th October 1888.

RESOLUTION.—Copy should be forwarded to all Political officers with an intimation that Courts in Native States which have the privilege of having their processes served in British territory should follow the rule published by Government Notification No. 5149, dated 18th September 1888, at page 763 of the *Bombay Government Gazette* of the 20th idem.

W. LEE-WARNER,
Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, C. D.,
The Commissioner, N. D.,
The Commissioner, S. D.,
All Political officers (except the Political Resident, Aden and the Agent for Sardars in the Deccan).

No 4170 of 1888

25th October 1888

Copy forwarded for information and guidance to the Nawabsaheb of Savanur.

J. K. Shinn
ag Collector and Pol. agent.

[illegible]

Bills.

Bill to render it permissive to the members of the Memon Community to declare themselves subject to Muhammadan Law.

No. 4901.

JUDICIAL DEPARTMENT.

Bombay Castle, 3rd July 1897.

Letter to the Secretary to the Government of India, Legislative Department, No. 5404, dated the 7th August 1896—Communicating the opinion of this Government and the opinions of the Honourable the Judges of the High Court and of certain officers and gentlemen consulted by this Government on the Bill to render it permissive to the members of the Memon Community to declare themselves subject to Muhammadan Law.

Letter from the Secretary to the Government of India, Legislative Department, No. 448, dated the 26th February 1897 :—

"Referring to your letter No. 5404, dated the 7th August 1896 (Judicial Department), I have the honour, by direction of the Select Committee to which the Bill to render it permissive to the members of the Memon Community to declare themselves subject to Muhammadan law has been referred, to forward copies of notes by the Honourable Mr. R. M. Sayani and the Honourable Nawab Amirudin Ahmad Khan Bahadur, dated, respectively, the 6th January and 8th February last, and to state that it is considered desirable that further enquiry should be made with reference to the suggestions therein contained.

"2. I am to request that the Governor of Bombay in Council may be moved to take such steps as may be necessary in order to ascertain the views of the Memon Community on the proposals made in the papers now forwarded. The Honourable Mr. Sayani informs the Select Committee that he is intimately acquainted with the views of the Memons on this subject, and that a Bill on the lines he proposes would be readily accepted by the vast majority of the Community. It seems probable, however, that the effect of such a Bill would be to practically compel the acceptance of the Muhammadan law by the minority objecting to its application, as by declaring that they do not desire to be under that law as regards succession, they would lay themselves open to the reproach of openly avowing themselves not to be Muhammadans, but unbelievers. The possible result of legislation on the lines now suggested should, I am to state, be put clearly to the Community before their views are taken. I am to add that in the opinion of the Select Committee it is desirable that the views of the Memon Community at large, and not merely those of representative men in that Community, should, if possible, be ascertained with reference to these new proposals."

Letter from the Commissioner of Police, Bombay, No. 2776—6, dated the 31st March 1897.

Memorandum from the Remembrancer of Legal Affairs, No. M.—49, dated the 8th May 1897.

Memorandum from the Oriental Translator to Government, No. 967, dated the 4th June 1897—Forwarding, with reference to Government memorandum No. 4175, dated the 1st June 1897, a Gujaráti translation of the draft public notice* to the Memon Community.

RESOLUTION.—The Gujaráti translation of the public notice* to the Memon Community should be forwarded to the Superintendent, Government Central Press, with a request that he will print it in the form of a handbill and supply copies to the officers concerned. The Commissioner of Police, Bombay, and all District Magistrates should be asked to take the necessary steps for the sufficient distribution of the handbills in localities where Memons reside, copies of the handbills being obtained from the Superintendent, Government Central Press.

2. The Reporter on the Native Press should be requested to arrange for the prominent publication of the notice in Gujaráti in the *Bombay Samachar*,

*Printed as an accompaniment to this Resolution.

Jam-e-Jamshed, Akhbari Soudagar, Praja Mitra and *Kutch Samachar*. It should appear in each of these papers three times at intervals of about a week.

3. The District Magistrates in the Mofussil and the Collector of Bombay should be requested, in submitting to Government any petitions which they may receive in pursuance of the notice, to report, so far as possible, on the authenticity of the petitions, and in verification of any assertions of local custom or other matters which may seem to require elucidation.

(Signed) S. L. BATCHELOR,
Under Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Superintendent, Government Central Press (with the Gujaráti translation of the notice),
The Commissioner of Police, Bombay,
All District Magistrates,
The Collector of Bombay,
The Reporter on the Native Press,
The Remembrancer of Legal Affairs,
The Political Department,
The Financial Department.

Dharwar
14 July 1897.

No. 5292 of 1897.

Copy forwarded for information and guidance to the Assistant Political Agent.

2 Copies of the hand-bill referred to in para 1 have been indented for and will be sent on receipt. They should be distributed to the members of the Memon Community residing in the State.

INWARD NO. 15 JUL 97 217

M. Compton
Collector & District Magistrate
Dharwar.

Hand bills sent on 28-7-97.

Hand bills sent to Sirur with S. 2-9-7 10-8-97

Accompaniment to Government Resolution, Judicial Department, No. 4901, *dated the* 3rd *July* 1897.

PUBLIC NOTICE TO THE MEMON COMMUNITY.

The Government of Bombay, by desire of the Government of India, wishes to draw the attention of all members of the Community known as Memons to the following matter :—

It has been held by the Courts of Law that certain sections of the Memon Community are in matters of succession and inheritance still governed by Hindu law and custom instead of by the Muhammadan law. It has, therefore, been represented to the Government of India that this position is anomalous and that legislation should be undertaken so as to place the entire Memon Community on a uniform footing as to the law by which it should be governed. With this object in view a Bill has been drawn up rendering it permissive to individual members of the Memon Community to secure to themselves, by means of a declaration, the application of the Muhammadan law as established in the Hanafi School on the subject of succession and inheritance. The Bill at the same time provides (1) that a declaration made by a father shall bind his children (if any) who are minors at the time of such declaration or are born thereafter, (2) that a declaration once made shall be irrevocable, (3) that after such declarations have been made by the father and by any one of his sons, all the lineal descendants of such son shall be bound thereby, and (4) that nothing in the proposed enactment shall affect the rights of any member of a declarant's family other than the children and lineal descendants just referred to.

2. It has now been represented that the Bill in question is open to objection on account of its imposing on Memons born in the Mussalman faith the necessity of a legal declaration in order to enable them to obtain their religious rights and that such a declaration places them in an anomalous position as a similar declaration is required to be made by converts to Islam at the time of their embracing the Muhammadan faith. The Memon Community in India is divided into two sects, the Halai Memons and the Cutchi Memons. The former without exception follow the Muhammadan law in all respects and are not therefore affected by the proposed legislation. As regards the Cutchi Memons it has been pointed out that a large majority of them also follows or has expressed a desire to follow the Muhammadan law in all respects, but that a small minority, though following the Muhammadan law in all other respects, is desirous of

adhering in matters of testamentary and intestate succession to certain customs derived from the Hindu law. It is urged that the wishes of the majority who desire to be governed in all respects according to the Muhammadan law should prevail over the wishes of the dissenting minority and that the Muhammadan law of inheritance and succession should be declared by legislation to apply to the whole of the Memon Community and that the onus of making a declaration should rest not upon those who are willing to accept the Muhammadan law on these subjects but upon the small minority who desire to retain Hindu customs in matters relating to succession.

3. It seems possible, however, that the effect of such a measure would be to practically compel the acceptance of the Muhammadan law by the minority objecting to its application, as by declaring that they do not desire to be under that law as regards succession they would lay themselves open to the reproach of openly avowing themselves other than orthodox Mahomedans. It is therefore desired that the possible result of legislation on the lines now suggested should be clearly put before the entire Memon Community and their views ascertained. All persons, whether male or female, who have attained the age of 18, who are likely to be affected by the proposed legislation and who have any objections to urge to the aforesaid provision of the proposed Bill, under which the onus of making a declaration will lie upon those Memons who desire to be governed by Hindu customs, are hereby invited to make known their objections in writing to the District Magistrate of the District in which they reside, or in the case of Bombay to the Collector of Bombay, before the 30th day of September 1897.

S. W. EDGERLEY,
Secretary to Government.

3rd July 1897.

Probates.

Submission of monthly returns of - by

Political officers.

No. 5824 of 1891.

Judicial Department.

Bombay Castle, 3rd November, 1891.

Resolution of Government in the Political Department, No. 6892, dated the 15th September, 1891 -- Forwarding to the commissioners and all political officers, copies of a Notification by the Government of India (No. 3542-I., dated the 27th August, 1891), directing that the functions of a District Judge, under Section 64 of the Administrator-General's Act (II of 1874), as amended by section 13 of Act II of 1890, should, with respect to the property of European and Eurasian British subjects who die leaving assets in Native States, be discharged by the Political Agents of those States.

Resolution. — Extract paragraph 3 of the letter from the Government of India, No. 16-1016, dated the 18th July, 1893, together with copy of paragraph

4 of the despatch from the Secretary of State, No. 2, judicial, dated the 11th January, 1883, and the forms appended thereto should be forwarded to all Political Officers with a request that they will submit to Government in the Judicial Department at the beginning of each month a return in the form prescribed by the Secretary of State, showing the grants of probate and administration made by them during the preceding month in the case of the estates of all persons of European extraction, whether British subjects or not.

2 If no grants are made in any month, a blank return or a report that no grants were made should be submitted.

(signed) A. C. Logan,

Acting Under Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, Ho D.,
The Commissioner, C.D.,
The Commissioner, S.D.,
All Political Officers,
The Administrator-General, Bombay
The Political Department:

} With the extracts and the forms.

No. 414 of 1892

Camp Tedas, 18th January 1892.

Copy with accompaniment forwarded for information and guidance to the Nawab of Savanur.

A. W. Bonney.
Collector & Pol. agent.

To be returned.

Read 21/1/92.

No. 24 of 1891-92.

Savanur 21st January 1892

Returned with compliments to the Collector and Political Agent Dharwar.

Nawab of Savanur.

Extract paragraph 3 of the letter from the Government of India, No. 16 – 1016, dated the 18th July 1883.

Paragraph 3. Adverting to paragraph 4 of the secretary of state's despatch, I am to request that the necessary instructions may be issued to the district courts in the Bombay Presidency to prepare a monthly Calender in the form appended, commencing from January 1883, showing the grants made by those courts of probates and administration in the cases of the estates of all persons of all persons of European extraction, whether British subjects or not. These calendars should be submitted through your office to the Under secretary of state for India. I am further to request that orders may be issued to district courts for the early preparations of returns showing similar grants made by those courts from the date on which the Indian Succession Act of 1865 came into operation up to 31st December 1882. These returns, when completed,

should also be sent to the Under Secretary of State for India through your Office.

Extract paragraph 4 of a Despatch from Her Majesty's Secretary of State for India, No. 2 Judicial, dated the 11th January, 1883, to His Excellency the Most Honourable the Governor-General of India in Council.

Paragraph 4. As regards probates and administrations granted by Courts other than High Courts, I think that, as it has not hitherto been the practice of this office to supply the public with information as to these, it is not necessary now to direct that copies should be transmitted. But I request that a return in the form of the Calendar referred to in the Despatch, showing the Grants by such Courts of probate and administration in the cases of the estates of Europeans, may be forwarded periodically to this Office; and further, that a return, showing the like Grants by District

Courts since the coming into force of the Indian Succession Act of 1865, may be prepared and forwarded as soon as possible.

Grants of Probate or administration made in estates of all persons of European Extraction, whether British subjects or not, by the District Court of in the Presidency / Province during the month of 18

Index letter	Name and description of Testator or intestate.	Date of death.	Place of death.	Nature and extent of Grant.	Date of Grant.	Amount or Value of estate.	Name & description of applicant.	Remarks
						Rs.		

Dated the day of

District Judge.

Suits.

Instructions for the expeditious disposal of suits against Government.

No. 5221.

JUDICIAL DEPARTMENT.

Bombay Castle, 16th July 1897.

CIRCULAR.

It having been brought to the notice of Government that delays often take place in the disposal of suits against Government owing to frequent adjournments applied for by Government Pleaders for want of instructions, the attention of all heads of offices under the several Departments of the Secretariat is invited to the rules for the defence of suits, and especially (*i*) to that part of paragraph 4 of Rule 8 which provides that in cases of threatened action which are clearly defensible the officer concerned should at once proceed, as far as possible, to collect the information and papers referred to in Rules 11 and 12, and (*ii*) to the provision of Rule 12 that the papers mentioned therein should be submitted to the head of his department by the officer concerned *within one month* from the date of his being first apprised of the institution of the suit. Government wish it generally to be understood that all officers concerned in the defence of suits should do all in their power to obviate the necessity of making applications for adjournments under Rule 13 and that such applications should only be made when they are necessary in the interests of Government.

(Signed) S. L. BATCHELOR,
Under Secretary to Government.

To

All Heads of Offices under the Judicial Department and all other Departments of the Secretariat,
All Departments of the Secretariat.

Thanawar 31 July 1897

No. 6730 of 1897.

with 1 s copy.

Copy forwarded for information and guidance to the Assistant Political Agent.

Head Clerk

Spare copy is given
no 191
29.5.97

J.R. 238
1-8-97

European Vagrancy Act.

Review of the reports on the working of the — for the year ending the 31st December 1900.

No. 3406.

JUDICIAL DEPARTMENT

Bombay Castle, 29th May 1901.

Letter from the President, Committee of Management, Government Female Work-house, Bombay, No. 301, dated the 8th February 1901—Forwarding a report from the Governor, Government Female Work house, Bombay, on the working of that Institution for the year ending the 31st December 1900.

Letter from the Accountant General, No. B.K.—1201, dated the 15th February 1901—Submitting, with reference to Government Resolution No. 3868, dated the 21st July 1891, the annual statement marked A, showing the amount disbursed from the different Treasuries in the Bombay Presidency on account of European vagrants during the year 1900, and also two other statements marked B and C, showing how the figures have been distributed and classified in the accounts.

Letter from the President, Committee of Management, Government Male Work-house, Bombay, No. 355, dated the 19th February 1901—Forwarding a report from the Governor, Government Male Work-house, Bombay, showing the operation of the Vagrancy Act during the year ending the 31st December 1900.

Reports submitted by the District Magistrates and the Political Agents in the Bombay Presidency, the Political Resident, Aden, and the Chief Presidency Magistrate, Bombay, showing the operation of the Vagrancy Act in their respective charges during the year ending the 31st December 1900.

RESOLUTION.—The number of male vagrants dealt with during the year was 84 (excluding 2 extra inmates) as compared with 93 in 1899. Of the 72 newly admitted, 62 were sent to the Work-house by the Presidency Magistrates in Bombay, 5 were received from Poona, 2 from Ahmedabad, 2 from Khándesh and 1 from Karáchi. It appears, however, from the statements received from the District Magistrates of Poona, Khándesh and Ahmedabad that 6 vagrants were sent to the Work-house from the Poona District and only 1 from the Khándesh District, while none was sent from the Ahmedabad District. The discrepancies should now be explained.

2. Of the 84 vagrants dealt with during the year, 15 were discharged to employment and 3 to the care of friends or relatives, 9 were shipped as sailors or firemen, 1 went to live at the Seamen's Rest, 1 was sent to the Strangers' Home, 6 were discharged as being in possession of sufficient means and 2 are shown as released under the orders contained in Government memorandum No. 666-M.—7003-B., dated the 15th October 1900. Of the rest 17 were sentenced to imprisonment, 16 deserted and were not re-arrested, 2 were sent to a Lunatic Asylum and 3 were deported, 9 being left in the Work-house at the close of the year. The 2 vagrants reported to have been released under the orders quoted are Thomas Mathews and Charles Berrill, who it was directed should be allowed to remain in the Work-house, but shown separately in the Annual Vagrancy Returns in view of the letter from the Government of India, Home Department, No. 2592, dated the 30th October 1899. The attention of the Governor, Government Male Work-house, should in this respect be invited to paragraph 2 of Government Resolution No. 6074, dated the 5th September 1900.

3. The total cost to Government of carrying out the Vagrancy Act in this Presidency, excluding expenditure upon the Government Female Work-house,

was Rs. 8,385-2-4, being Rs. 684-8-0 more than in the previous year. Only 3 female vagrants were dealt with during the year at a cost of Rs. 243-12-3.

4. Forty-two applicants for assistance were sent away from Aden at a cost of Rs. 1,912-12-0.

5. It should be explained why deportation charges incurred in the Karáchi District are not reported to Government.

(Signed) A. S. A. WESTROPP,
Acting Under Secretary to Government.

To

The President, Committee of Management, Government Work-house, Bombay,
The Governor, Government Male Work-house, Bombay,
The Governor, Government Female Work-house, Bombay,
The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Commissioner of Police, Bombay,
The Chief Presidency Magistrate, Bombay,
The Political Resident, Aden,
All District Magistrates (including those in Sind),
All Political Agents,
The Deputy Commissioner, Thar and Párkar,
The Deputy Commissioner, Upper Sind Frontier,
The Accountant General,
The Political Department,
The General Department (for the Compiler of the General Administration Report).

——— 1st June 1901

No. 4-109 of 1901.

Copy forwarded for information ~~and guidance~~ to The Assistant Political Agent.

Head Clerk.

in ho 495 14-6-01

ho 511 of 1901 17th June 1901

Forwarded with compliments to the diwan of Lasbela for information and necessary action.

File 20/6/1901

Karachi

Asstt
ap Agent